

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2012 FEB 21 AM 10:52

CLERK OF DISTRICT COURT

BY

[Signature]

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOISES GORROSTIETA,

Defendant.

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CRIMINAL NO.

A12CR 065 SS

INDICTMENT

[Violation: 18 U.S.C. § 922(g)(1) –
Possession of Firearm by Felon]

THE GRAND JURY CHARGES:

COUNT ONE

Possession of Firearm by Felon
[18 U.S.C. § 922(g)(1)]

On or about May 5, 2011, in the Western District of Texas, the Defendant,

MOISES GORROSTIETA,

being a person who had previously been convicted of a felony offense punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess, in and affecting commerce, one or more firearms, namely,

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| 1. Remington, Model 870 Express, 20 gauge shotgun, serial number C046645U; |
| 2. High Standard, 12 gauge shotgun; |
| 3. Astra, Model A100, .9 mm caliber semi-automatic pistol, serial number 0154E; |
| 4. Tanfoglio, Model GT380, .380 caliber semi-automatic pistol, serial number T69582 |

which had been shipped and transported in interstate commerce.

In violation of Title 18, United States Code Section 922(g)(1) and 924(e).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

**[21 U.S.C. §§ 846, 841(a)(1) and subject to forfeiture pursuant to
21 U.S.C. §§ 853(a)(1) and (a)(2)]**

As a result of the forgoing criminal violations as set forth in Count One (1) of the indictment, which is punishable by imprisonment for more than one year, the United States gives notice that it intends to forfeit, but is not limited to, the below listed property from Defendant Moises Gorrostieta. Defendant shall forfeit all right title, and interest in said property to the United States pursuant to Fed. R. Crim. P. 32.3 and 21 U.S.C. 853(a)(1) and (a)(2) which state the following:

Title 21 U.S.C. § 853(a). Criminal forfeitures

(a) Property subject to criminal forfeiture

Any person convicted of a violation of this subchapter or subchapter II of this chapter shall forfeit to the United States . . .

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

This Notice of Demand of Forfeiture includes, but is not limited to, the following personal property:

1. Remington, Model 870, 20 gauge shotgun, serial number C046645U;
2. High Standard Bolt action 12 gauge shotgun;
3. Astra, A100, 9mm pistol; serial number O154E;
4. Tangfolio, GT380, .380 pistol, serial number T69582
5. 663 rounds of ammunition;
6. 5 firearm ammo magazines.

A TRUE BILL:

ROBERT PITMAN
United States Attorney

ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

By:


ANTHONY W. BROWN
Assistant U.S. Attorney